

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 20-cr-30013-SMY
)	
ASHLEY N. MCKINNEY,)	
)	
Defendant.)	

ORDER

YANDLE, District Judge:

Pending before the Court is Defendant Ashley N. McKinney’s Motion For Order to Schedule Restitution Payments (Doc. 92). McKinney requests that the Court schedule a \$25 per month restitution payment while she is incarcerated so that she may avoid financial hardship.¹

The Attorney General, not the courts, is “responsible for collection of an unpaid fine or restitution imposed by a judgment, 18 U.S.C. § 3612(c), and has delegated the authority to the Bureau of Prisons, 18 U.S.C. § 4042(a)(1).” See *In re Buddhi*, 658 F.3d 740, 742 (7th Cir. 2011). “Courts are not authorized to override the Bureau’s discretion about such matters, any more than a judge could dictate particulars about a prisoner’s meal schedule or recreation ...” *Id.* (quoting *United States v. Sawyer*, 521 F.3d 792, 794 (7th Cir. 2008)).

At sentencing, McKinney was ordered to pay restitution of \$9,864.71 in equal monthly installments of \$25 or ten percent of her net monthly income, whichever is greater (Doc. 80, pp. 7-8). Those payments, until McKinney is released, “should be handled through the Inmate Financial Responsibility Program rather the court’s auspices.” *Sawyer*, 521 F.3d at 796. Because

¹ McKinney is presently incarcerated at Alderson Federal Prison Camp, with an anticipated release date of October 16, 2025.

the Court has no authority to modify or schedule McKinney's restitution payments while she remains incarcerated, her motion (Doc. 92) is **DENIED**.

IT IS SO ORDERED.

DATED: January 29, 2024



STACI M. YANDLE
United States District Judge